


**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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 UNITED STATES OF AMERICA

v.

CARLOS VASQUEZ.

Defendant.

**CRIMINAL NO.: 05-726 (JLL)****ORDER****LINARES**, District Judge.

This matter comes before the Court on a request for clarification by pro se Defendant Carlos Vasquez. (Docket Entry No. 23.) Vasquez pleaded guilty on October 11, 2005 to a one-count Information charging him with conspiracy to distribute and possess with intent to distribute 500 grams or more of cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B). (Docket Entry No. 18.) On April 10, 2006, this Court sentenced Vasquez to 30 months imprisonment followed by three years supervised release. (Docket Entry No. 20.) The sentence also included a fine of \$500 and a special assessment of \$100.

Vasquez asks this Court for clarification regarding his fine. Specifically, he claims that he was released from prison and deported. He now advises the Court that he has been incarcerated again for illegal re-entry but believes that any monies owed towards his prior \$500 dollar fine are moot because of his subsequent deportation. This Court disagrees. Courts have consistently held that the obligation to pay a fine does not end upon deportation. As the Second Circuit recently stated: "Nothing in this statutory provision or in 18 U.S.C. § 3571(b)(3), which sets forth the applicable maximum fine, exempts persons who are deported from liability for the

payment of fines.” United States v. Thompson, 227 F.3d 43, 46 (2d Cir. 2000); see also United States v. DeBarge, 434 F.2d 57, 58 (3d Cir. 1970) (per curiam) (upholding application of fines to two defendants who were to be deported immediately).

Vasquez’s motion for clarification is accordingly denied.

**THEREFORE, IT IS on this 18<sup>th</sup> Day of September, 2009,**

**ORDERED** that Vasquez’s motion for clarification (Docket Entry No. 23) is denied.

**SO ORDERED.**

Dated: September 18, 2009

/s/ Jose L. Linares  
United States District Judge